

Sec. 5.800. (R-4) TOWNHOUSE RESIDENTIAL DISTRICT.**Sec. 5.801. Purpose.**

This district is intended to provide for relatively low density development having individual ownership and built-in privacy either in the form of part wall construction or enclosed yards and courts.

Sec. 5.802. Approvals required.

A. No structure or building shall be built or remodeled upon land in the R-4 district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

B. *Tentative plan at time of rezoning.*

1. The Planning Commission or City Council may require any application for rezoning to townhouse residential district to be accompanied by a tentative overall development plan which shall show the following:

- a. Topography.
- b. Proposed street system.
- c. Proposed block layouts.
- d. Proposed reservation for parks, parkways, playgrounds, recreation areas and other open spaces.
- e. Off-street parking space.
- f. Types of dwelling and portions of the area proposed therefor.
- g. Locations of dwellings, garages and/or parking spaces.
- h. A tabulation of the total number of acres in the proposed project and a percentage thereof designated for the proposed dwelling types.
- i. A tabulation of overall density per gross acres.
- j. Preliminary plans and elevations of the several dwelling types.

2. The approved development review plan must substantially conform to the plan submitted at the time of rezoning.

Sec. 5.803. Use regulations.

A. *Permitted uses.* Building, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Single-family dwelling having either party walls or walled courtyards.
2. Accessory buildings and uses customarily incident to the permitted uses, including private garage, home occupations, swimming pools and recreation buildings.
3. Municipal uses.
- 3.1. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.
4. Temporary sales office buildings and model homes.
5. Churches and places of worship.
6. Day care home.

B. *Permitted uses by conditional use permit.*

1. Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200.

(Ord. No. 2394, § 1, 9-16-91; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2858, § 1, 12-5-95; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3493, § 1, 3-4-03)

Sec. 5.804. Property development standards.

The following property standards shall apply to all land and buildings in the R-4 district:

A. *Minimum property size.*

1. Any property for which R-4 zoning is requested shall contain a minimum of eight thousand (8,000) square feet.

B. *Open space* requirements.*

1. A minimum of ten (10) percent of the total gross land of the development shall be set aside for recreation uses or other common landscaped areas unless the overall density of the development is less than five (5) units per acre. The City Council may waive this requirement because of the relationship of the development to an existing public park or recreation area.

- a. All accessory buildings for recreational purposes shall not occupy more than fifteen (15) percent of the total area reserved for recreation uses, and other common landscaped areas.

*Defined in section 3.100.

C. *Building height.*

1. The building height shall be as determined by Development Review [Board] except that no building shall exceed thirty (30) feet in height and except as otherwise provided in article VII.
2. If the R-4 development abuts a single-family residential district or an alley abutting a single-family residential district, the City Council may limit the building height to one (1) story as determined by Development Review Board.

D. *Density.*

1. The overall density shall not exceed one (1) dwelling unit per five thousand two hundred forty (5,240) square feet of gross land area.

E. *Building setback.*

1. Wherever an R-4 development abuts an R-1, R-4R or M-H district or an alley abutting any of those districts, the following shall apply:
 - a. A yard of not less than fifteen (15) feet shall be maintained for the single story structures.
 - b. An additional depth of ten (10) feet shall be provided for each additional story.
2. Within an R-4 development or wherever an R-4 development abuts any district other than R-1, R-4R or M-H, or abuts an alley adjacent to such other district, a building may be constructed on the property line. However, if any yard is to be maintained, it shall be not less than ten (10) feet in depth. Larger yards may be required by the Development Review [Board] or City Council if the existing or future development of the area around the site warrants such larger yards.
3. No building or part thereof shall be erected or altered in this district that is nearer a dedicated street than fifteen (15) feet except that the average setback from any dedicated street shall be twenty (20) feet.

Exception:

- a. Where a lot is located at the intersection of two (2) or more streets the setback on one (1) street shall be not less than ten (10) feet.

4. No more than thirty (30) percent of the frontage dwelling units shall have living space above one (1) story in height that is located within fifty (50) feet of any dedicated street.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building and a main building or between two (2) main buildings, except that an accessory building with two (2) or more open sides, one (1) of which is adjacent to the main building, may be built to within six (6) feet of the main building.

G. *Walls, fences and required screening.*

1. Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required yard areas, except within the required frontage open space, within which they may not exceed three (3) feet in height, or except as otherwise provided in article VII.
2. All parking areas shall be screened to a height of three (3) feet above the parking surface.
3. Storage and refuse areas shall be screened as determined by Development Review Board approval.

H. *Access.* Access shall be as determined by Development Review Board.

(Ord. No. 1922, § 1, 11-4-86; Ord. No. 2509, § 1, 6-1-93; Ord. No. 2818, § 1, 10-17-95; Ord. No. 3225, § 1, 5-4-99)

Sec. 5.805. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.806. Signs.

The provisions of article VIII shall apply.